

April 8, 1974

(Begin Belt 9)

the Constitution only says you can use administrative expenses to be deducted from the school funds. You cannot deduct costs of irrigation and for building apartment houses and anything you want to build on it. It can't be done. Now this thing that was handed out here by Senator DeCamp said that if the Legislature would interpret the constitution differently than the Constitution reads, that then it would be constitutional. Well, that's ridiculous. You can't interpret the Constitution differently than it's written. When it's perfectly clear exactly what it says, that this money has to be exclusively to be sent back to the schools. Now, Senator DeCamp says that I want to let the lands deteriorate. Why, I don't want to let the lands deteriorate. What they want this money for is for improvements on the land and when the Attorney General has said it's unconstitutional, that's just it in my judgment. Especially when you read the Constitution and it simply says that on page 30. That this money has to be used exclusively for sending back to the schools the rentals from school lands and the interest from the school lands. And so I would suggest that you adopt my amendment which will strike the new matter in Section 6 of LB894. Then if you want to put in money for this purpose. You can do it on a constitutional basis and it doesn't matter whether we took it out of the General Fund or took it out of the school funds. It's taxpayers money anyway and so why put in something here that's a cloud on our law. Why do that? In my judgment it shouldn't be done. Therefore, I ask that this amendment be adopted.

PRESIDENT: We are now voting on the second Whitney amendment to LB894. If you are in favor of the amendment vote aye. If not, vote no. You are voting on the second Whitney amendment which strikes certain matter in Section 6 on LB894 on Select File. You are voting on the second Whitney amendment to LB894 on Select File. Have you all voted? Senator Whitney, what's your pleasure?

SENATOR WHITNEY: Mr. President, this is a very, very important amendment and I ask for a Call of the House.

PRESIDENT: All right, Senator Whitney has asked for a Call of the House. Clerk will clear the board, record and clear the board. Next bell, please indicate your support of a Call of the House. Senator Whitney has asked for a Call of the House. Senator Whitney has asked for a Call of the House. Have you all voted? Go ahead, we'll wait. Clerk will record.

CLERK: 17 ayes, 11 nays to go under Call.

PRESIDENT: We now are under a Call of the House. At the next bell, please indicate your presence. We are under a Call of the House. Senators please take their seats.

CLERK: Senator Snyder voting aye on the original motion.

PRESIDENT: Senator Snyder voting aye. We are voting on the Whitney amendment to LB894 on Select File. Senator Frank Lewis voting aye.

CLERK: Senator Marsh voting aye.

PRESIDENT: Senator Marsh voting aye. Senator Mahoney voting aye. Senator Fred Carstens voting aye. Senator Rasmussen